IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 9560 of 1998

Between:

Smt. Metta Krishnaveni, W/o. Subba Rao.
R/o. 34th Ward, Bhimavaram,
Bhimavaram Mandal, West Godavari District.

..... PETITIONER

AND

1 The Commissioner, Bhimavaram Municipality,
Bhimavaram, West Godavari.
2 The Town Planning Officer, Bhimavaram Municipality,
Bhimavaram Mandal, West Godavari.
3 The Municipal Engineer, Bhimavaram Municipality,
Bhimavaram Mandal, West Godavari.
4 Munakala Narasimha Murthy,
34th Ward, Bhimavaram Mandal,
West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order or orders direction or directions, writ or writs particularly one in the nature of Writ of Mandamus and declare the action of the respondents in trying to fence with barbed wire around the petitioners land to the extent of 5 cents (238.9 Sq.yds) situated in R.S.No. 91/1, 2nd ward, Bhimavaram Municipality without following the due process of law and without having any right over the schedule land is illegal, arbitrary against the provisions of law and violative of Article 300-A of the Constitution of India.

Counsel for the Petitioner: MR.K.L.N.SWAMY

Counsel for the Respondent Nos.1 to 3: MR.E.SAMBASIAVA PRATAP

Counsel for the Respondent No.4: None appeared.

The Court made the following :

ORDER

The learned counsel for the petitioner seeks permission of this Court to withdraw the Writ Petition with a liberty to approach the Civil Court for adjudication of dispute. Permission is accorded.

Accordingly, the Writ Petition is dismissed as withdrawn. No costs.

31-03-2005

Hsd

Asst. Registrar

To

1 The Commissioner, Bhimavaram Municipality,
Bhimavaram, West Godavari.
2 The Town Planning Officer, Bhimavaram Municipality,
Bhimavaram Mandal, West Godavari.
3 The Municipal Engineer, Bhimavaram Municipality,
Bhimavaram Mandal, West Godavari.

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